

Rec'd PCT/PTO 12 JUN 2001

Form PTO-1390  
(REV. 10-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

1085.0050000/RWE/ALS

U.S. APPLICATION NO. (IF KNOWN, SEE 37 C.F.R. § 1.5)

09/674,733

PRIORITY DATE CLAIMED

May 5, 1998

INTERNATIONAL APPLICATION NO.

PCT/IB99/01388

INTERNATIONAL FILING DATE

May 5, 1999

TITLE OF INVENTION

MELANOCORTIN 1 RECEPTOR SELECTIVE COMPOUNDS

APPLICANT(S) FOR DO/EO/US

SZARDENINGS, Michael; MUCENIECE, Ruta; MUTULE, Ilze; MUTULIS, Felikss; and WIKBERG, Jarl

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is a **THIRD** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
4. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)).
5. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
6. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
7. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
8. ☒ Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
9. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 372(c)(3)).
10. ☒ An oath or declaration executed by Michael Szardenings and an oath or Declaration executed by Ruta Muceniece; Ilze Mutule, Felikss Mutulis, and Jarl Wikberg (35 U.S.C. 371(c)(4)).
11. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

12. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
13. ☐ An assignment document executed by Michael Szardenings and an assignment document executed by Ruta Muceniece; Ilze Mutule, Felikss Mutulis, and Jarl Wikberg both for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
14. ☒ An Amendment and Submission of Sequence Listing.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ Other items or information: 1. Communication to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. § 371; 2. A copy of the Notification of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US); 3. A return postcard date stamped May 2, 2001 indicating the USPTO receipt of a copy of original Declaration for Patent Application executed by Michael Szardenings; and a copy of original Declaration for Patent Application executed by Ruta Muceniece, Ilze Mutule, Felikss Mutulis, and Jarl Wikberg; 4. A copy of the Notification to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures; 5. 7 pages of a paper copy of the Substitute Sequence Listing; and 6. A computer readable copy of the Substitute Sequence Listing.

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.50) 09/674,733		INTERNATIONAL APPLICATION NO. PCT/GB99/01388		ATTORNEY'S DOCKET NUMBER 1085.0050000/RWE/ALS	
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17. <input type="checkbox"/> The following fees are submitted:				CALCULATIONS      PTO USE ONLY	
<b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1000.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$860.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$710.00</b>  International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$690.00</b>  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... <b>\$ 100.00</b>					
ENTER APPROPRIATE BASIC FEE AMOUNT = \$					
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	

Claims	Number Filed	Number Extra	Rate		
Total Claims	- 20 =		X \$18.00	\$	
Independent Claims	- 3 =		X \$80.00	\$	
Multiple dependent claim(s) (if applicable)			+ \$270.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS</b>				= \$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL</b>				= \$	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
<b>TOTAL NATIONAL FEE</b>				= \$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
<b>TOTAL FEES ENCLOSED</b>				= \$	
				Amount to be refunded:	\$
				charged:	\$

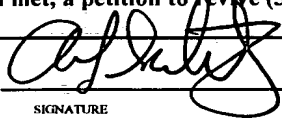
a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0036. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit Under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO: <b>STERNE, KESSLER, GOLDSTEIN &amp; FOX P.L.L.C.</b> 1100 New York Avenue, NW, Suite 600 Washington, D.C. 20005-3934	 SIGNATURE <b>Aaron L. Schwartz</b> NAME Provisional Registration No. <u>P-48,181</u> REGISTRATION NUMBER
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Szardenings *et al.*

Appl. No. 09/674,733  
(U.S. Nat'l. Phase of PCT/GB99/01388)

Int'l Filing Date: May 5, 1999

For: **Melanocortin 1 Receptor Selective  
Compounds**

Art Unit: *To be assigned*

Examiner: *To be assigned*

Atty. Docket: 1085.0050000/RWE/ALS

**Communication to the United States Designated/Elected Office  
(DO/EO/US) Concerning a Filing Under 35 U.S.C. § 371**

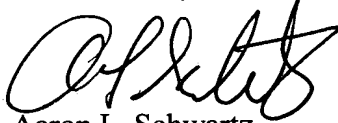
Commissioner for Patents  
Washington, D.C. 20231

Sir:

We have noticed that the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) indicates an incorrect Attorney Docket No., International Application No., International Filing Date and Priority Date. The Attorney Docket No. should be 1085.0050000; the International Application No. should be PCT/GB99/01388; the International Filing Date should be May 5, 1999; and the Priority Date should be May 5, 1998.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Aaron L. Schwartz  
Agent for Applicants  
Provisional Registration No. P-48,181

Date: 6/12/01  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
(202) 371-2600



24 2001 5/24

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.

09674733

FIRST NAMED APPLICANT

SZARDENINGS

M

ATTY. DOCKET NO.

L065.0050000

INTERNATIONAL APPLICATION NO.

PCT/GB99/03034

I.A. FILING DATE

28 SEP 99

PRIORITY DATE

29 SEP 98

DATE MAILED:

22 MAY 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee. ☐ Indication of Small Entity Status.  
☒ Copy of the international application. ☐ Translation of the international application into English.  
☐ Oath or Declaration of inventors(s). ☐ Translation of Article 19 amendments into English.  
☐ Copy of Article 19 amendments. ☐ Other:  
☒ Priority Document. *Declaration + Sequence Listing*  
☐ The International Preliminary Examination Report in English and its Annexes, if any. *July 22 2001*  
☐ Translation of Annexes to the International Preliminary Examination Report into English. *Stat BCN December 22, 2001*

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

**DOCKETED**

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).  
4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.  
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

*A copy of this notice MUST be returned with this response.*

Enclosed: ☐ PCT/DO/EO/917  
☐ PTO-875

☐ Notice of Defective Translation  
☐ PCT/DO/EO/920

SHELBY VIGIL, PARALEGAL

Telephone: 703-305-3653

FORM PCT/DO/EO/905 (March 2001)



U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09674733	SZARDENINGS M	1085 0050000
INTERNATIONAL APPLICATION NO.		
PCT/GB99/01388		
I.A. FILING DATE	PRIORITY DATE	
05 MAY 99	05 MAY 98	
DATE MAILED: 22 MAY 2001		

STERNE KESSLER GOLDSTEIN & FOX  
1100 NEW YORK AVENUE NW  
SUITE 600  
WASHINGTON, DC 20005 3934

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☒ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☐ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☐ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- ☐ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- ☐ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☒ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☐ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE  
CALL:**

(703) 308-4216, for Rules interpretation,  
(703) 308-4212, for CRF submission help,  
(703) 287-0200, for PatentIn software help.